

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HEENA SHIM-LARKIN,

Plaintiff,

-against-

CITY OF NEW YORK,

Defendant.

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**JENNIFER E. WILLIS, United States Magistrate Judge:**

Pro se Plaintiff Heena Shim-Larkin (“Plaintiff”) filed a motion to recuse the Court pursuant to 28 U.S.C. Section 455. Dkt. Nos. 904–06. Section 455(a) provides that “[a]ny justice, judge, or magistrate judge of the United States shall disqualify [herself] in any proceeding in which [her] impartiality might reasonably be questioned.” 28 U.S.C.A. § 455(a). Section 455(b) provides in relevant part that a judge should also disqualify herself “[w]here [s]he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding.” *Id.* at § 455(b).

“Recusal motions are committed to the sound discretion of the district court.” *LoCascio v. United States*, 473 F.3d 493, 495 (2d Cir. 2007). “[W]here the standards governing disqualification have not been met, disqualification is not optional; rather, it is prohibited. As we have stated, a judge is as much obliged not to recuse himself when it is not called for as he is obliged to when it is.” *In re Aguinda*, 241 F.3d 194, 201 (2d Cir. 2001) (cleaned up).

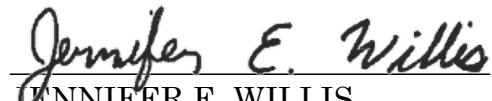
**ORDER**

**16-CV-6099 (AT) (JW)**

Plaintiff's memorandum in support and declaration make several factual allegations that are entirely false. Dkt. Nos. 905–06. The Court has no personal involvement with Plaintiff or this case. The Court also has no bias or prejudice towards Plaintiff or this case. Therefore, Plaintiff's motion to recuse the Court is DENIED.

SO ORDERED.

DATED: New York, New York  
October 24, 2024

  
JENNIFER E. WILLIS  
United States Magistrate Judge